

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 18-292
)	
ROBERT BOWERS)	

ORDER OF COURT

AND NOW, this 3rd day of April, 2023, upon review and consideration of the parties' Joint Position Regarding Court's Proposed Trial Order (ECF No. 1071), the Court hereby sets forth the following deadlines in the above-captioned matter:

- 1) Joint stipulations for the Guilt Phase shall be filed by **April 14, 2023**.
- 2) The Court will utilize the neutral summary of the indictment agreed to by the parties at ¶ 2, which will be read to the venire before jury selection and read to the jury to introduce the trial.
- 3) The Court notes that the parties agree that "place of abode" means physical addresses, and that the deadline for the Court to provide a list of veniremen including their place of abode, and for the Government to provide a list of witnesses "to be produced on the trial for proving the indictment," and their place of abode pursuant to 18 U.S.C. § 3432, is **April 18, 2023**. In light of this agreement, it is hereby ORDERED that the deadline for the Court to provide a list of veniremen including their place of abode, and for the Government to provide a list of witnesses "to be produced on the trial for proving the indictment," and their place of abode pursuant to 18 U.S.C. § 3432, is **April 18, 2023**.

- 4) The Government shall provide Defendant with its Guilt Phase exhibits in electronic format by **May 2, 2023**. Defendant shall provide the Government with his Guilt Phase exhibits in electronic format by **May 9, 2023**
- 5) The Government shall provide Defendant with its Penalty (both Eligibility and Selection) Phase exhibits in electronic format by **May 23, 2023**.
- 6) Defendant may provide his Penalty Phase Exhibits in electronic format to the Court by **May 23, 2023**, along with a brief as to why Defendant believes that his exhibits should be withheld from the Government prior to the completion of the Guilt Phase. Following in camera review of the exhibits and brief, the Court will rule as to whether Defendant should be required to provide any of his exhibits to the Government by May 30, 2023, or any later date. Alternatively, Defendant may provide his Penalty Phase Exhibits in electronic format to the Government, without providing the same to the Court, by **May 30, 2023**. Defendant shall file a status report advising the Court as to which of these two options he intends to pursue by **May 2, 2023**.
- 7) The Court notes that the parties agree that crime victims and their family members are permitted to be present in the courtroom during all phases of the trial, even if they may be called upon to testify in the guilt or penalty phases of the trial. The parties also agree that Mr. Bowers's family members who may testify during the penalty phase may be present in the courtroom during all phases of the trial. The Court notes that, notwithstanding these general agreements, the parties have reserved the right to file a motion seeking sequestration of a particular witness if particular facts and circumstances arise to so warrant. The Court acknowledges these agreements, and anticipates that any

requests for modification or adjustment with respect to these agreements will be brought promptly to the Court's attention.

BY THE COURT:

s/Robert J. Colville
Robert J. Colville
United States District Judge

cc: All counsel of record
Clerk of Court
Jury Office